

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 07-CR-20141
HON. GEORGE CARAM STEEH

EZELL JOHNSON,

Defendant.

_____ /

ORDER DENYING AS MOOT DEFENDANT'S MOTION FOR DISCOVERY (#12)

Defendant Ezell Johnson moves for discovery to determine if any pre-trial motions need to be filed following his April 3, 2007 arraignment on a March 21, 2007 Indictment charging him with three counts: felon in possession of a firearm, 18 U.S.C. § 922(g)(1); possession of cocaine with intent to distribute, 21 U.S.C. § 841(a); and possession of a firearm during a drug trafficking crime, 18 U.S.C. § 924(c)(1)(A). The Government responds that it disclosed 59 pages of discoverable materials to defendant on April 25, 2007, that it is unaware of any additional discovery materials to which defendant is currently entitled, and that it is aware of its continuing duty to provide discovery materials. Accordingly, defendant's motion for discovery is hereby DENIED as MOOT. Defendant's request for an extension of the motion cut-off date arising from his April 3, 2007 arraignment is also hereby DENIED as MOOT following defendant's May 14, 2007 arraignment on a May 1, 2007 Superseding Indictment charging defendant with two additional counts of threatening a federal law enforcement officer, 18 U.S.C. § 115, and felon in possession of a firearm, 18 U.S.C. § 922(g)(1).

SO ORDERED.

Dated: May 16, 2007

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
May 16, 2007, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk